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Attorneys for Defendant  
VITAMIN SHOPPE INDUSTRIES, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

GRADY JACKSON, in his representative  
capacity pursuant to Cal. Bus. & Prof. Code  
§§17203, 17535 and Cal. Code Civ. Pro. §§ 382,  
1021.5,

Plaintiffs,

vs.

BALANCED HEALTH PRODUCTS, INC., a  
Delaware Corporation, NIKKI HASKELL, an  
individual, GENERAL NUTRITION  
CORPORATION, a Pennsylvania Corporation,  
GENERAL NUTRITION CENTERS, INC., a  
Pennsylvania Corporation; GREAT EARTH  
COMPANIES INC., a Delaware Corporation;  
VITAMIN SHOPPE INDUSTRIES, Inc. a New  
York Corporation; and, DOES 1-50, inclusive,

Defendants.

Case No. C 08-05584-CW

**STIPULATION ALLOWING  
PLAINTIFF TO FILE AMENDED  
COMPLAINT AND SETTING DATE  
FOR RESPONSE; ORDER**

STIPULATION ALLOWING PLAINTIFF TO FILE AMENDED COMPLAINT; [PROPOSED] ORDER  
JACKSON V. BALANCED HEALTH PRODUCTS, INC., ET AL.

CASE NO. C 08-05584-CW

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Grady Jackson ("Plaintiff") and Defendants Balanced Health Products, Inc., Nikki Haskell, General Nutrition Corporation, General Nutrition Centers, Inc., and The Vitamin Shoppe Industries, Inc. (collectively, "Defendants"), through their respective counsel, as follows:

1. Pursuant to Fed. R. Civ. P. 15(a)(2), the Defendants agree that Plaintiff shall be permitted to file an Amended Complaint on or before February 27, 2009.

2. The deadline for Defendants to answer or otherwise respond to Plaintiff's Amended Complaint shall be March 13, 2009.

Dated: February 20, 2009

PINNACLE LAW GROUP, LLP

HOLME, ROBERTS & OWEN LLP

By: /s/ Eric Farber  
Eric J. Farber  
Attorneys for Plaintiff  
GRADY JACKSON

By: /s/ Adam Brezine  
Roger R. Myers  
Adam Brezine  
Attorneys for Defendant  
VITAMIN SHOPPE INDUSTRIES, INC.

Special Appearance:

MCGUIRE WOODS LLP

By: /s/ David Gernsbacher  
David Gernsbacher (Application for Admission Pending)  
Specially Appearing for Defendants  
BALANCED HEALTH PRODUCTS, INC.  
and NIKKI HASKELL

By: /s/ Sidney Kanazawa  
Sidney K. Kanazawa  
Attorneys for Defendants  
GENERAL NUTRITION  
CORPORATION and GENERAL  
NUTRITION CENTERS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

  
United States District Judge

2/24/09

Dated: \_\_\_\_\_

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to N.D. Cal. General Order No. 45, section 45 X(B), Adam Brezine hereby attests that concurrence in the filing of this stipulation and proposed order has been obtained from Counsel for the non-filing parties.

HOLME ROBERTS & OWEN LLP

By: /s/ Adam Brezine  
Adam Brezine

Attorneys for Vitamin Shoppe Industries, Inc.